



# PUBLIC EMPLOYEES RETIREMENT ASSOCIATION OF NEW MEXICO

PO Box 2123, Santa Fe, NM 87504-2123, Attention: Employee Exclusion Form

Telephone: (505) 827-4700, or (800) 342-3422

E-mail: postmaster@pera.state.nm.us

## EMPLOYEE EXCLUSION FROM PERA MEMBERSHIP

Please Print Clearly

### Social Security Number

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Name:	Last	First	Middle Initial
Mailing Address:			
City:	State:	Zip Code:	

I, \_\_\_\_\_, understand that I have been hired by:

\_\_\_\_\_ as a:

Name of PERA Affiliated Employer and Division

Check One Box Only

- ☐ Seasonal Employee or Temporary Employee
- ☐ Part-Time Employee
- ☐ Student Employee
- ☐ Retired PERA Member
- ☐ Retired Member from ERA, JRA, or MRA
- ☐ Independent Contractor

I understand that I am being excluded from PERA membership due to the exclusion category checked above. I also understand and agree that being excluded under this designation will disqualify me for normal, disability, or survivor's retirement benefits under PERA, and that I will be ineligible to purchase such excluded service at a future date.

Your Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### EMPLOYER'S CERTIFICATION

I certify that the above-named employee was hired into the category designated above, on: \_\_\_\_\_

Employment Start Date

Employer Number: \_\_\_\_\_ Employment Termination Date: \_\_\_\_\_

Affiliated Employer's Name: \_\_\_\_\_

Employer's Address: \_\_\_\_\_

Preparer's Name (Print): \_\_\_\_\_

Preparer's Title (Print): \_\_\_\_\_ Telephone No.: \_\_\_\_\_

Preparer's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# Employee Exclusion Categories

**READ AND SELECT THE CATEGORY THAT APPLIES TO YOU. CHECK THE CORRESPONDING BOX ON THE REVERSE SIDE OF THE FORM.**

**Seasonal employee** or **temporary employee** is defined in *PERA Rule 2, NMAC 80.400.10.2.3 (a)* as: "...an employee who works in a position designated by the affiliated public employer as seasonal or temporary and created to last no more than 9 consecutive months."

**Student employee** is defined in *PERA Rule 2, NMAC 80.400.10.2.3 (b)* as: "...an employee who during at least 8 months in any calendar year, or during the period of employment, is enrolled at an educational institution whose academic credits would be accepted by a state educational institution or a public school district and carrying at least 12 credit hours. Any person who is a regular full-time employee is not a "student" for purposes of exclusion from PERA membership."

**Retired PERA member** is defined in *PERA Rule 2, NMAC 80.1100.20.1.1* as: "...retired members of PERA who are subsequently employed by an affiliated public employer and who have not earned \$15,000."

**Part-time employee** is defined in *PERA Rule 2, NMAC 600.10.2* as: "...employees who work fewer than 40 hours in an 80 hour pay period or 20 hours in a 40 hour week."

**Retired members from ERA, JRA, or MRA** are defined in *PERA Rule 2 NMAC 80.400.10.2.1* and *2 NMAC 80.100.7.15* as: "...retired members from a retirement program provided for in the Magistrate Retirement Act, Judicial Retirement Act, or Education Retirement Act."

**Independent contractors** are defined in *PERA Rule 2 NMAC 80.400.10.2.2* as: "...persons who render services to an affiliated public employer as independent contractors ... unless the employment contract provides that they are "employees" for federal and state taxation purposes, or the IRS had determined that they are "employees" under the contract."

Please note that the above cited PERA Rules can be located at PERA's web site: [www.state.nm.us/pera](http://www.state.nm.us/pera)